

46 Am. Jur. 2d Judges § 23

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Judges

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V. Powers and Duties

A. In General

§ 23. Particular duties as acts of court

[Topic Summary](#) | [Correlation Table](#) | [References](#)

West's Key Number Digest

West's Key Number Digest, [Judges](#)  23, 24

In order for the duties of the judge to be considered acts of the court, the duties must be done within the judge's jurisdiction.¹ Whether a duty is to be performed by the judge or the court is generally to be determined from the character of the duty rather than by the use of the terms "judge" or "court" in a controlling statute.² An act done in open court that could have been done by a judge at chambers is not invalid for that reason.³

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Footnotes

- ¹ [Archie v. Lanier](#), 95 F.3d 438, 1996 FED App. 0297P (6th Cir. 1996).
- ² [Broadfoot v. City of Florence](#), 253 Ala. 455, 45 So. 2d 311 (1950); [Richmond v. Shipman](#), 63 Cal. App. 3d 340, 133 Cal. Rptr. 742 (1st Dist. 1976).
- ³ § 27.

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